

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

**INTELLECTUAL PROPERTY LAW**

**8110 GATEHOUSE ROAD**

**SUITE 500 EAST**

**FALLS CHURCH, VA 22042-1210**

**USA**

**(703) 205-8000**

**FAX: (703) 205-8050**

**(703) 698-8590 (G IV)**

**e-mail: mailroom@bskb.com**

**web: http://www.bskb.com**

**CALIFORNIA OFFICE**

**COSTA MESA, CALIFORNIA**

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD J. GALLAGHER  
JAYNE M. SAYDAH\*  
MARYANNE ARMSTRONG, PH.D.  
KECIA J. REYNOLDS  
ROBERT L. SCOTT, II  
KALPANA REDDY  
MARK E. OLDS  
ESTHER H. CHONG  
CATHERINE M. VOISINE  
EUGENE T. PEREZ

REG. PATENT AGENTS:  
FREDERICK R. HANDRE  
MAKI HATSUMI  
CRAIG A. McROBBIE  
GARTH M. DAHLEN, PH.D.  
ROBERT E. GOOZNER, PH.D.  
KRISTI L. RUPERT, PH.D.  
MATTHEW T. SHANLEY  
SUSAN W. GORMAN, PH.D.  
DAVID J. CHO  
ROBERT W. DOWNS

TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
BERNARD L. SWEENEY\*  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUEL, PH.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT  
JAMES W. HELLWEGE

\*ADMITTED TO A BAR OTHER THAN VA.

Date: December 26, 2001

Docket No.: 2119-0171P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a ☒ continuation ☐ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/773,751 filed on February 2,  
2001, the entire contents of which are hereby incorporated by  
reference,  
by

John R. KARPINSKY, Daniel M. BROWN, Rodney L. CLARK

for

FIBER OPTIC SWITCH PROCESS AND OPTICAL DESIGN

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$740.00	\$370.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	19-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	4-3 =	1	x 84 = \$0.00	x 42 = \$42.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
		TOTAL		\$412.00

3. ☒ A check in the amount of \$412.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:

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a. ☒ --This application is a ☒ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/773,751, filed on February 2, 2001, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. 60/180,138 filed in U.S.A. on February 3, 2000 under 35 U.S.C. § 119.--

b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/773,751, filed on February 2, 2001 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/773,751 is the national phase of PCT International Application No. PCT/\_\_\_\_\_/\_\_\_\_ filed on \_\_\_\_\_ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are Seven (7) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/773,751 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 7b. ☒ The current application qualifies for small entity status.
8. ☐ The prior application is assigned to \_\_\_\_\_.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 10b. ☐ Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119 are hereby reclaimed.
11. ☐ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
  
or  
Customer No. 2292
13. ☒ An extension of time for five (5) month(s) until December 22, 2001 has been submitted in parent Application No. 09/773,751 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

10025460-122601

Docket No. 2119-0171P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Michael K. Mutter, #29,680

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

MKM/gf  
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Attachments

(Rev. 11/15/01)

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